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SALT LAKE CITY, UT 84111

EXAMINER

VAN HANDEL, MICHAEL P

ART UNIT	PAPER NUMBER
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2623

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09/24/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/991,025

Applicant(s)

OZER ET AL.

Examiner

Michael Van Handel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 and 32-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26, 32-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/03/2007 has been entered.

Response to Amendment

1. This action is responsive to an Amendment filed 7/03/2007. Claims **1-26, 32-44** are pending. Claims **1, 11-13, 21, 44** are amended. Claims **27-31** are canceled.

Response to Arguments

1. Applicant's arguments regarding claims **1, 13, and 21**, filed 7/03/2007, have been fully considered, but they are not persuasive.

Regarding claims **1, 13, and 21**, the applicant argues that the art of record fails to teach or suggest a system comprising a planning module and a control module, and that the art of record also fails to teach or suggest that the planning module includes an interface module, a data module, a reservation module, and an aggregation module, and the particular functionality of each of the modules as is recited in the amended claims. The examiner respectfully disagrees. Carruthers et al. discloses a plurality of client machines 10 (p. 1, paragraph 16). The examiner

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interprets these client machines to be “one or more receiver modules” as currently claimed.

Carruthers et al. further discloses a Master Server 18 and a PoP Server 16 (Fig. 2). The examiner interprets these to be a “planning module” and a “control module,” respectively, as currently claimed. Carruthers et al. also discloses that the Master Server 18 has a Dynamic Campaign Manger 50 with a portal for advertisers to initiate and manage their advertising campaigns (p. 2, paragraph 22 & Fig. 2). The examiner interprets this to be an “interface module displaying information to a user to schedule an advertising impression goal,” as currently claimed.

Carruthers also discloses that the Master Server 18 has an Inventory Manager 51 that functions as part of the Capacity Forecaster 52 and part of the Delivery Manager 54 (Fig. 2). The Capacity Forecaster 52 assists the advertiser in creating and modifying an advertising campaign by calculating the available subscriber capacity (p. 3, paragraphs 28-30) and the Inventory Manager generates a master delivery plan to fulfill delivery contracts with advertisers, calculates a daily goal of impressions, and specifies a prioritized and weighted master list of advertisements (p. 3, paragraphs 31-34). Thus, the examiner interprets the Inventory Manager 51 as a data module that “comprises an overall advertising inventory module” (Campaign Forecaster 52) “and an advertising detail inventory module” (Inventory Manager 51), “the overall advertising inventory module providing a summary view of advertising impression inventory and scheduled advertising campaigns, including information about a total number of advertising impressions available” and “total number of advertisements that have been scheduled as committed” and “the advertising detail inventory module providing detailed scheduling information for each scheduled advertisement comprising information relating to each advertisement including the total impression goal and advertising weight for any defined target,”

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as currently claimed. Carruthers et al. does not specifically disclose that the Capacity Forecaster provides a summary view of a total number of scheduled flexible advertisements and a total weight of flexible advertisements for any defined target criteria; however, Cannon discloses a user interface that allows a media planner to create a base advertising plan and a listing of alternative spots to add or remove, media objective values, and weighting values (col. 70, l. 1-14 & Figs. 35, 41). To optimize a plan or schedule, a planner would enter an objective, weighting values, the base plan, and the list of alternative slots. The system would return a listing of the alternative spots ranked according to score (Fig. 41). The user would then select from among the alternatives and add the spot to the list (col. 70, l. 15-22). The examiner maintains that it would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the advertiser portal in the combination of Carruthers et al. and Zigmond et al. to include a graphical user interface allowing an advertiser to compare weighted scores of alternative options for adding an additional advertising slot, such as that taught by Cannon in order to provide a more effective system for scoring, comparing and optimizing advertising campaigns for advertising agencies (Cannon col. 3, l. 21-25).

Carruthers et al. further discloses a Delivery Manager 54 that can reorder or reprioritize the master list of scheduled advertisements based on delivery feedback data and queuing logic/algorithms. For example, if the goal for a given campaign is to evenly distribute an advertisement over the course of the campaign length, the advertisement can be moved down in the queue of advertisements to be displayed if it gets ahead of its daily goals. Similarly, if an advertisement gets behind in meeting its goals, it may be automatically promoted in priority. If an advertisement exceeds its daily goal, it can be effectively shut off by being placed at the very

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end of the queue (p. 3, paragraph 35). The examiner interprets this as a “reservation module assigning weights to advertisements in the advertising campaign, defining a type of display frequency for the advertisements and the advertisement content associated therewith,” as currently claimed. Carruthers et al. still further discloses a master database 60 that stores advertisements and user profiles (p. 2, paragraph 22 & Fig. 2). The examiner interprets this to be an “aggregation module,” as currently claimed.

Carruthers et al. still further discloses an On-Demand Scheduler 70 that retrieves state variables for advertisements, advertisement constraints, and subscriber data (p. 3, paragraphs 38, 39). The On-Demand Scheduler 70 provides the Delivery Manager 54 with data on the impressions delivered to each user, so that the Delivery Manager 54 can reprioritize its list of advertisements (p. 4, paragraph 41). The examiner interprets this as “receiving at the control module historical data from the receiver modules, the historical data comprising data about delivered advertising impressions” and “time of day,” “aggregating the received historical data at the control module, the control module applying a rule to the aggregation data, the rule being based upon the manner by which the historical data was collected by the receiver modules, to generate manipulated historical data comprising estimated data representative of all available receiver modules, the planning module communicating with the control module,” and “delivering the manipulated historical data to the planning module,” as currently claimed.

Carruthers et al. further discloses that advertisements are stored at a remote local database 76 at the PoP server 16 (p. 2, paragraph 22). The examiner interprets this as “storing advertisement content at the control module,” as currently claimed. Carruthers et al. also discloses that the On-Demand Scheduler retrieves state variables and constraints for the advertisements describing

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when the subscriber is eligible to receive the advertisement (p. 3, paragraphs 38, 39). The examiner interprets this as a “control module generating one or more metadata files associated with advertisement content, the metadata files defining properties of the advertisement content comprising when the advertisement content is to be displayed to a viewer,” as currently claimed. Carruthers et al. still further discloses the CDS server 74 at the PoP server 16 sends the advertisements to the subscriber. The examiner interprets this to be a “control module delivering advertisement content and metadata files associated with the advertisements to at least one receiver module,” as currently claimed.

Carruthers et al. does not specifically disclose that the historical data comprise data about geographic information, demographic information, and programming viewed with the advertising impressions; however, Zigmond et al. discloses collecting viewer information, including geographic location (p. 15, lines 13-15), demographic information (p. 15, lines 8-15), and the amount of time viewing particular channels and preferred types of programming (p. 16, lines 1-2)(p. 25, lines 12-16) and targeting advertisements on the basis of the geographic location (p. 21, lines 2-3), demographic information (p. 20, lines 25-26), and program watched (p. 18, lines 9-11). The examiner maintains that it would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the feedback and targeting data of Carruthers et al. to include geographic location, demographic information, and programming viewed, such as that taught by Zigmond et al. in order to more specifically target viewers in order to tailor advertisements to the interests and needs of viewers (p. 5, lines 6-8).

Claim Objections

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1. Claim **24** is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Specifically, claim 21 recites “designating the weight as one of an absolute weight or a relative weight,” while claim 24 recites “wherein the step for defining the weight comprises a step for defining the weight as either an absolute weight or a relative weight.”

2. Claims **1-26, 32-44** are objected to because of the following informalities:

Referring to claim **1**, the examiner notes that the phrase “the receiver modules” lacks antecedent basis. The claim previously recites “one or more receiver modules,” but fails to recite “receiver modules.” The examiner recommends that the phrase be changed to “the one or more receiver modules.”

Further referring to claim **1**, the examiner notes that the phrase “the aggregation data” lacks antecedent basis. The claim previously recites “aggregating the received historical data at the control module,” but fails to recite “aggregation data.” The examiner recommends that the phrase be changed to the “aggregated historical data.”

Still further referring to claim **1**, the examiner notes that the phrase “the number of advertising impressions” lacks antecedent basis. The claim previously recites “a method for scheduling the advertising campaign to achieve an advertising impression goal,” but fails to recite “a number of advertising impressions.” The examiner recommends that the phrase be changed to “a number of advertising impressions.”

Still further referring to claim 1, the examiner notes that the phrase “the advertisements scheduled for future display” lacks antecedent basis. The claim previously recites “a method for scheduling the advertising campaign to achieve an advertising impression goal,” but fails to recite “advertisements scheduled for future display.” The examiner recommends that the phrase be changed to “advertisements scheduled for future display.”

Still further referring to claim 1, the examiner notes that the phrase “the one or more target viewers” lacks antecedent basis. The claim previously recites “one or more receiver modules,” but fails to recite “one or more viewers.” The examiner recommends that the phrase be changed to “one or more target viewers.”

Still further referring to claim 1, the examiner notes that the phrase “the campaign data” lacks antecedent basis. The claim previously recites “an advertising campaign,” but fails to recite “campaign data.” The examiner recommends that the phrase be changed to “campaign data.”

Still further referring to claim 1, the examiner notes that the phrase “the timeframe” lacks antecedent basis. The claim previously recites “a method for scheduling the advertising campaign,” but fails to recite a “a timeframe.” The examiner recommends that the phrase be changed to “timeframe.”

Still further referring to claim 1, the examiner notes that the phrase “the one or more target viewers selected by the advertiser” lacks antecedent basis. “One or more target viewers” is previously recited in the claim in light of the examiner’s previous recommendation; however, there is no previous recitation of one or more target viewers being selected by an advertiser. The examiner recommends that the phrase be changed to “the one or more target viewers.”

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Still further referring to claim 1, the examiner notes that the phrase “the advertisement content associated therewith” lacks antecedent basis. The claim fails to previously recite there being advertisement content associated with the weights. The examiner recommends that the phrase be changed to “advertisement content associated therewith.”

Still further referring to claim 1, the examiner notes that the phrase “the metadata files” lacks antecedent basis. The claim previously recites “one or more metadata files,” but fails to recite “metadata files.” The examiner recommends that the phrase be changed to “the one or more metadata files.”

Referring to claim 3, the examiner notes that the phrase “the requested impression goal” lacks antecedent basis. The claim previously recites “to achieve an advertising impression goal,” but fails to recite a “requested impression goal.” The examiner recommends that the phrase be changed to “a requested impression goal.”

Referring to claim 8, the examiner recommends that the phrase “defining the advertisements as either a committed advertisement or a flexible advertisement” be changed to “defining each of the advertisements as either a committed advertisement or a flexible advertisement.”

Referring to claim 9, the examiner notes that the phrase “the frequency of display” lacks antecedent basis. The examiner recommends that the phrase be changed to “a frequency of display.”

Referring to claim 10, the examiner notes that the phrase “the advertising type” lacks antecedent basis. The claim previously recites “a type of display frequency for the

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advertisements,” but fails to recite “advertising type.” The examiner recommends that the phrase be changed to “an advertising type.”

Referring to claim **12**, the examiner notes that the phrase “the total number of advertising impressions available, total number of advertisements that have been scheduled as committed, total number of scheduled flexible advertisements and the total weight of the flexible advertisements for any defined target criteria” lacks antecedent basis. The claim previously recites “a schedule of available advertising inventory,” but fails to recite “total number of advertising impressions available. The claim further fails to previously recite “total number of advertisements that have been scheduled as committed,” “total number of scheduled flexible advertisements,” and “total weight of flexible advertisements for any defined target criteria.” The examiner recommends that the phrase be changed to “a total number of advertising impressions available, total number of advertisements that have been scheduled as committed, total number of scheduled flexible advertisements and a total weight of flexible advertisements for any defined target criteria.”

Further referring to claim **12**, the examiner recommends that the phrase “module 52” be changed to “module.”

Still further referring to claim **12**, the examiner notes that the phrase “the total impression goal and advertising weight for any defined target,” lacks antecedent basis. The claim previously recites “an advertising impression goal,” but fails to recite “total impression goal.” The claim also previously recites “assigning weights ... defining a type of display frequency,” but fails to recite advertising weights for defined targets. The examiner recommends that the phrase be changed to “a total impression goal and advertising weight for any defined target.”

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Referring to claim **15**, the examiner notes that the phrase “the step for notifying an individual utilizing the planning module ...” lacks antecedent basis. The examiner recommends that the phrase be changed to “a step for notifying an individual utilizing the planning module ...”

Further referring to claim **15**, the examiner notes that the phrase “the requested impressions of one or more advertising campaigns” lacks antecedent basis. The claim fails to previously recite requesting impressions or “one or more advertising campaigns.” The examiner recommends that the phrase be changed to “a requested impressions of the advertising campaign.”

Referring to claim **16**, the examiner notes that the phrase “the step for overbooking one or more entries in the schedule ...” lacks antecedent basis. The claim fails to previously recite a “step for overbooking one or more entries in the schedule ...” The examiner recommends that the phrase be changed to “a step for overbooking one or more entries in the schedule ...”

Referring to claim **17**, the examiner notes that the phrase “the step for defining a target viewer of the one or more target viewers” lacks antecedent basis. The claim fails to previously recite a “step for defining a target viewer of the one or more target viewers.” The examiner recommends that the phrase be changed to “a step for defining a target viewer of the one or more target viewers.”

Referring to claim **18**, the examiner notes that the phrase “the computer readable medium” lacks antecedent basis. The examiner recommends that the phrase be changed to “the computer readable storage medium.”

Further referring to claim **18**, the examiner notes that the phrase “the step for defining each advertisement content ...” lacks antecedent basis. The examiner recommends that the phrase be changed to “a step for defining each advertisement content ...”

Referring to claim **19**, the examiner notes that the phrase “the step for weighting the advertisement” lacks antecedent basis. The claim previously recites “assigning weights to advertisements,” but fails to recite “weighting the advertisement.” The examiner recommends that the phrase be changed to “a step for weighting the advertisement.”

Further referring to claim **19**, the examiner notes that the phrase “the frequency of display of the advertising content” lacks antecedent basis. The claim previously recites “defining a type of display frequency,” but fails to recite “frequency of display of the advertising content.” The examiner recommends that the phrase be changed to “a frequency of display of the advertising content.”

Referring to claim **20**, the examiner notes that the phrase “the step for adjusting the advertising type and weights of different campaigns ...” lacks antecedent basis. The claim previously recites “assigning weights to advertisements in the advertising campaign,” but fails to recite “adjusting the advertising type and weights of different campaigns.” The examiner recommends that the phrase be changed to “a step for adjusting an advertising type and weights of the campaign ...”.

Referring to claim **21**, the examiner recommends that the phrase “the display of an advertisement” be changed to “display of an advertisement.”

Further referring to claim **21**, the examiner notes that the phrase “the total available advertising inventory” lacks antecedent basis. The claim previously recites “available

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advertising inventory,” but fails to recite “total available advertising inventory.” The examiner recommends that the phrase be changed to “a total available advertising inventory.”

Still further referring to claim **21**, the examiner notes that the phrase “the display frequency” lacks antecedent basis. The examiner recommends that the phrase be changed to “a display frequency.”

Still further referring to claim **21**, the examiner notes that the phrase “the target data” lacks antecedent basis. The claim previously recites “the advertisement’s target,” but fails to recite “target data.” The examiner recommends that the phrase be changed to “target data.”

Referring to claim **24**, the examiner notes that the phrase “the step for defining the weight ...” lacks antecedent basis. The claim previously recited “designating the weight,” but fails to recite “defining the weight.” The examiner recommends that the phrase be changed to “the step for designating the weight.”

Referring to claim **25**, the examiner notes that the phrase “the weight for the committed advertisement” lacks antecedent basis. The examiner recommends that the phrase be changed to “a weight for a committed advertisement.”

Referring to claim **26**, the examiner notes that the phrase “the weight for the flexible advertisement” lacks antecedent basis. The examiner recommends that the phrase be changed to “a weight for a flexible advertisement.”

Referring to claim **32**, the examiner notes that the phrase “the one or more attributes” lacks antecedent basis. The claim previously recites “one or more target attributes,” but fails to recite “one or more attributes.” The examiner recommends that the phrase be changed to “the one or more target attributes.”

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Referring to claim **35**, the examiner notes that the phrase “the unique combination ...” lacks antecedent basis. The examiner recommends that the phrase be changed to “a unique combination ...”

Further referring to claim **35**, the examiner notes that the phrase “the total advertising inventory” lacks antecedent basis. The claim previously recites “available advertising inventory,” but fails to recite “total advertising inventory.” The examiner recommends that the phrase be changed to “a total advertising inventory.”

Referring to claim **38**, the examiner notes that the phrase “the total available advertising inventory” lacks antecedent basis. The claim previously recites “available advertising inventory,” but fails to recite “total available advertising inventory.” The examiner recommends that the phrase be changed to “a total available advertising inventory.”

Referring to claims **39**, **40**, and **43**, the examiner notes that the phrase “the step for adjusting the weight” lacks antecedent basis. The claim previously recites “calculating the weight,” but fails to recite “adjusting the weight.” The examiner recommends that the phrase be changed to “a step for adjusting the weight.”

Further referring to claims **40** and **42**, the examiner notes that the phrase “the total advertising inventory for the sub-advertising campaign” lacks antecedent basis. The examiner recommends that the phrase be changed to “a total advertising inventory for the sub-advertising campaign.”

Still further referring to claims **40** and **42**, the examiner notes that the phrase “the aggregate of all sub-advertising impression goals is substantially equal to the overall advertising impression goal of the advertising campaign” lacks antecedent basis. The examiner recommends

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that the phrase be changed to “an aggregate of all sub-advertising impression goals is substantially equal to an overall advertising impression goal of the advertising campaign.”

Referring to claim **41**, the examiner notes that the phrase “the advertising impression goal for a portion of the advertising campaign” lacks antecedent basis. The examiner recommends that the phrase be changed to “an advertising impression goal for a portion of the advertising campaign.”

Further referring to claim **41**, the examiner notes that the phrase “the total available advertising inventory” lacks antecedent basis. The examiner recommends that the phrase be changed to “a total available advertising inventory.”

Claims **2, 4-7, 11, 13, and 14** are objected to as being dependent on claim 1.

Claims **22, 23, 33, 34, 36, 37, and 44** are objected to as being dependent on claim 21.

The examiner interprets the claims in the Office Action below as though the recommended changes have been made.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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2. Claims **1, 3-11, 13, and 17-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Carruthers et al. in view of Zigmond et al.

Referring to claims **1 and 13**, Carruthers et al. discloses at a server computing system/computer program product that is at least intermittently connected to one or more receiver modules (plurality of client machines 10)(Figs. 1, 2) in a network, wherein the server computing system comprises a planning module (Master Server 18) and a control module (PoP Server 16), wherein the planning module comprises an interface module (advertiser portal of Dynamic Campaign Manager component 50), a data module (Inventory Manager 51), a reservation module (Capacity Forecaster 52), and an aggregation module (master database 60), and wherein the one or more receiver modules are configured to display advertisements associated with an advertising campaign on a display device (p. 1, paragraph 15), a method for scheduling the advertising campaign to achieve an advertising impression goal, the method comprising:

- receiving at the control module historical data from the one or more receiver modules, the historical data comprising data about delivered advertising impressions and time of day (p. 2, paragraph 19 & p. 3, paragraphs 29, 38, 39);
- aggregating the received historical data at the control module (the examiner notes that the On-Demand Scheduler 70 retrieves whether the subscriber has previously been sent an advertisement, when that subscriber was last sent the advertisement, and how many total times the subscriber has been sent the advertisement)(p. 3, paragraph 38);
- the control module applying a rule to the aggregated historical data, the rule being based upon the manner by which the historical data was collected by the one or more

- receiver modules, to generate manipulated historical data comprising estimated data representative of all available receiver modules (p. 3, paragraphs 39);
- the planning module communicating with the control module (Fig. 2);
 - delivering the manipulated historical data to the planning module (p. 2, 3, paragraphs 24, 26 & p. 4, paragraph 41);
 - the planning module retrieving campaign data representing a number of advertising impressions of advertisements scheduled for future display to one or more target viewers (p. 3, paragraphs 29, 30);
 - the planning module combining the historical data and campaign data to generate a schedule of available advertising inventory, the schedule usable by an advertiser to reserve advertising inventory of the available advertising inventory for the advertising campaign so that the advertising impression goal for the advertising campaign is achieved within a timeframe and among the one or more target viewers (p. 2, paragraphs 23-26; p. 3, paragraphs 28-34; & Fig. 3);
 - the interface module displaying information to a user to schedule an advertising impression goal (p. 2, paragraphs 22, 25; p. 3, paragraphs 28, 29, 33);
 - the reservation module assigning weights to advertisements in the advertising campaign, the weights defining a type of display frequency for the advertisements and advertisement content associated therewith (p. 3, paragraphs 28-35);
 - storing advertisement content at the control module (p. 37, paragraphs 37-39);
 - the control module generating one or more metadata files associated with advertisement content, the one or more metadata files defining properties of the

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advertisement content comprising when the advertisement content is to be displayed to a viewer (p. 3, paragraph 39); and

- the control module delivering advertisement content and metadata files associated with the advertisements to at least one receiver module (p. 4, paragraph 41).

Carruthers et al. does not specifically disclose that the historical data comprise geographic information, demographic information, and programming viewed with the advertising impressions. Zigmond et al. discloses collecting viewer information, including geographic location (p. 15, lines 13-15), demographic information (p. 15, lines 8-15), and the amount of time viewing particular channels and preferred types of programming (p. 16, lines 1-2)(p. 25, lines 12-16) and targeting advertisements on the basis of the geographic location (p. 21, lines 2-3), demographic information (p. 20, lines 25-26), and program watched (p. 18, lines 9-11). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the feedback and targeting data of Carruthers et al. to include geographic location, demographic information, and programming viewed, such as that taught by Zigmond et al. in order to more specifically target viewers in order to tailor advertisements to the interests and needs of viewers (p. 5, lines 6-8).

Referring to claim 3, the combination of Carruthers et al. and Zigmond et al. teaches a method as recited in claim 1, further comprising a step for notifying an individual when a requested impression goal for the advertising campaign exceeds the available advertising inventory (Carruthers et al. p. 2, paragraph 25).

Referring to claim 4, the combination of Carruthers et al. and Zigmond et al. teaches a method as recited in claim 1, further comprising a step for booking multiple advertising

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campaigns within the same timeframe and target, allowing the total advertising inventory to be split among these simultaneous campaigns according to various weights (Carruthers et al. p. 3, paragraphs 32-34).

Referring to claims 5 and 6, the combination of Carruthers et al. and Zigmond et al. teaches a method as recited in claim 4, further comprising a step for overbooking one or more entries in the schedule of the available advertising inventory (setting a campaign goal that exceeds available advertising inventory projections) and a step for resolving a conflict between the requested impression goal and the available advertising inventory (identifying and suggesting which constraints could be relaxed in order to achieve campaign goals)(Carruthers et al. p. 2, paragraph 25).

Referring to claims 7 and 17, the combination of Carruthers et al. and Zigmond et al. teaches a method/computer readable medium as recited in claims 1 and 13, respectively, further comprising a step for defining each of the one or more target viewers, each target viewer being defined by at least one of advertisement location data (see relevant passages from Zigmond et al. cited in the rejection of claim 1 above), market area data (see relevant passages from Zigmond et al. cited in the rejection of claim 1 above), and data indicative of a time interval that the advertisement is active (Carruthers et al. p. 3, paragraph 38).

NOTE: The USPTO considers the applicant's "at least one of" language to be anticipated by any reference containing any of the subsequent corresponding elements.

Referring to claims 8 and 18, the combination of Carruthers et al. and Zigmond et al. teaches a method/computer readable medium as recited in claims 1 and 13, respectively, further comprising a step for defining each of the advertisements as either a committed advertisement or

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a flexible advertisement (In addition to creating active advertising campaigns, Carruthers et al. discloses providing a set of default filler advertising impressions to be displayed when there is no content available for a given user)(Carruthers et al. p. 5, paragraph 75).

Referring to claims **9** and **19**, the combination of Carruthers et al. and Zigmond et al. teaches a method/computer readable medium as recited in claims 1 and 13, respectively, further comprising a step for weighting the advertisement, the weighting defining a frequency of display of the advertisement (Carruthers et al. p. 3, paragraphs 34, 35).

Referring to claims **10** and **20**, the combination of Carruthers et al. and Zigmond et al. teaches a method/computer readable medium as recited in claims 1 and 13, respectively, further comprising a step for adjusting an advertising type and weights of the campaign at various times to avoid conflicts or overbooking before or during a scheduled campaign (this limitation is met by the citations noted in the rejection of claim 9 above).

Referring to claim **11**, the combination of Carruthers et al. and Zigmond et al. teaches a method as recited in claim 1, wherein the control module comprises an advertising module (remote local database 76)(Carruthers et al. p. 2, paragraph 22 & Fig. 2), a manager module (Matcher 72)(Carruthers et al. p. 3, paragraph 38 & Fig. 2), and a historical data module (On-Demand Scheduler 70)(Carruthers et al. p. 3, paragraphs 38, 39 & Fig. 2), and the method further comprising the advertising module storing data in a database (remote local database 76), the data comprising advertisement content for advertisements (Carruthers et al. p. 2, paragraph 22).

3. Claims **2**, **12**, and **14-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Carruthers et al. in view of Zigmond et al. and further in view of Cannon.

Referring to claims **2** and **14**, the combination of Carruthers et al. and Zigmond et al. teaches a method/computer program product as recited in claims 1 and 13, respectively. The combination of Carruthers et al. and Zigmond et al. fails to specifically teach a step for displaying the schedule using a graphical user interface. Cannon discloses a graphical user interface 125 that provides access to a database mining engine (DME) 126, 127, that provides an opportunity for a media planner to distribute advertisements over time or space based on actual or anticipated individual or collective advertising exposure (col. 28, l. 22-31). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the combination of Carruthers et al. and Zigmond et al. to provide an advertiser with a graphical user interface, such as that taught by Cannon in order to provide a more effective system for scoring, comparing and optimizing advertising campaigns for advertising agencies (Cannon col. 3, l. 21-25).

Referring to claim **12**, the combination of Carruthers et al. and Zigmond et al. teaches a method as recited in claim 1, wherein the data module comprises an overall advertising inventory module (Campaign Forecaster 52) and an advertising detail inventory module (Delivery Manager 54), the overall advertising inventory module providing a summary view of advertising impression inventory and scheduled advertising campaigns, including information about a total number of advertising impressions available and total number of advertisements that have been scheduled as committed (p. 3, paragraphs 28-30) and the advertising detail inventory module providing detailed scheduling information for each scheduled advertisement comprising information relating to each advertisement including a total impression goal and advertising weight for any defined target (p. 3, paragraphs 33-35). The combination of Carruthers et al. and

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Zigmond et al. does not specifically teach providing a summary view of a total number of scheduled flexible advertisements and a total weight of flexible advertisements for any defined target criteria; however, Cannon discloses a user interface that allows a media planner to create a base advertising plan and a listing of alternative spots to add or remove, media objective values, and weighting values (col. 70, l. 1-14 & Figs. 35, 41). To optimize a plan or schedule, a planner would enter an objective, weighting values, the base plan, and the list of alternative slots. The system would return a listing of the alternative spots ranked according to score (Fig. 41). The user would then select from among the alternatives and add the spot to the list (col. 70, l. 15-22). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the advertiser portal in the combination of Carruthers et al. and Zigmond et al. to include a graphical user interface allowing an advertiser to compare weighted scores of alternative options for adding an additional advertising slot, such as that taught by Cannon in order to provide a more effective system for scoring, comparing and optimizing advertising campaigns for advertising agencies (Cannon col. 3, l. 21-25).

Referring to claim **15**, the combination of Carruthers et al., Zigmond et al., and Cannon teaches a computer program product as defined in claim 14, wherein the computer readable medium further carries computer executable instructions for performing a step for notifying an individual utilizing the planning module when a requested impressions of the advertising campaign exceeds the available advertising inventory (Carruthers et al. p. 2, paragraph 25).

Referring to claim **16**, the combination of Carruthers et al., Zigmond et al., and Cannon teaches a computer program product as defined in claim 14, wherein the computer readable medium further carries computer executable instructions for performing a step for overbooking

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one or more entries in the schedule of the available advertising impressions (setting a campaign goal that exceeds available advertising inventory projections)(Carruthers et al. p. 2, paragraph 25).

4. Claims **21-26**, and **32-38, 41, 44** are rejected under 35 U.S.C. 103(a) as being unpatentable over Carruthers et al. in view of Zigmond et al. and further in view of Bates et al.

Referring to claims **21**, Carruthers et al. discloses a method for assigning weights to scheduled advertisements in a system, including at least one processor, configured to schedule the display of an advertisement from an available advertising inventory of advertising impressions, the method comprising:

- a step for identifying an advertising impression goal for the display of an advertisement to at least one target viewer (p. 3, paragraphs 34, 35); and
- a planning module (Master Server 18) calculating a weight for the advertisement based upon comparing the advertising impression goal to a total available advertising inventory for the advertisement's target during a duration, the weight defining a display frequency of the advertisement to achieve the advertising impression goal (p. 3, paragraphs 34, 35); and designating the weight as one of an absolute weight (p. 3, paragraph 34) or a relative weight (p. 5, paragraph 73).

Carruthers et al. does not disclose that the weight is designated, such that upon receiving the advertisement, a receiver computing system selectively displays advertising content based at least in part on the weight of the advertisement, whether the advertisement was committed or flexible, wherein committed advertisements guarantee an impression frequency and flexible

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advertisements are selectively displayed within remaining available advertising inventory, target data and the absolute and relative weights of other advertising content having also been received by the receiver computing system, and on current viewer characteristics, the characteristics comprising time and geographic location.

Zigmond et al. discloses periodically delivering a plurality of advertisements (p. 14, l. 19-22 & Fig. 5) with advertisement selection criteria indicating that an advertisement is to be shown during a particular program (p. 17, l. 5-6 & p. 18, l. 3-13), selecting a stored advertisement according to the selection criteria, displaying the advertisement (p. 24, l. 29-31 & p. 25, l. 1-5), monitoring the viewer response to the advertisement (p. 25, l. 6-8), compiling the viewer response statistics, and reporting the statistics to the operator of the advertisement source (p. 19, l. 14-15 & p. 25, l. 12-16). Zigmond et al. further discloses collecting viewer and system information for characterizing a user including the geographical location of the household, demographic information, and viewing habits, such as times of day that programming is watched by the viewers (p. 14, l. 27-30; p. 15, l. 8-18, 30-31; & p. 16, l. 1-10). Ad selection rules are used to match the viewer and system information with the advertisement parameters associated with advertisements (p. 16, l. 11-28 & p. 17, l. 15-21). Zigmond et al. still further discloses that ad selection criteria can be based on a guaranteed number of exposures that advertisers have paid for (p. 21, l. 5-6). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Carruthers et al. to include targeting and inserting locally stored advertisements during particular programs and transmitting statistics about which advertisements have been seen to an operator of an advertising source, such as that taught by Zigmond et al. in order to provide a system for tailoring advertisements to the interests and needs

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of viewers and inserting the advertisements at a more local level (Zigmond et al. p. 5, l. 6-12).

The combination of Carruthers et al. and Zigmond et al. does not specifically teach that the receiver selectively displays advertising content, based at least in part on the weight of the advertisement, whether the advertisement was committed or flexible, wherein committed advertisements guarantee an impression frequency and flexible advertisements are selectively displayed within the remaining available advertising inventory, and the absolute and relative weights of other advertising content having also been received to the receiver computing system.

Bates et al. discloses storing particular commercial advertisements for substitution back into a video data stream in place of an alternate commercial advertisement in order to ensure that a particular commercial advertisement is viewed by a user (col. 5, l. 14-23). Commercial advertisements, which may be stored and moved within the video data stream, are referred to as “bumpable” advertisements (col. 5, l. 23-29). Additionally, advertisements are created, which are not “bumpable” and which may not be stored and subsequently reintroduced into the video data stream (col. 5, l. 29-32). Bates et al. further provides an example of four advertisers (Pizza (P), Circus (C), Jeweler (J), and Beer (B) that are interested in purchasing commercial advertisements during a video program. The Pizza advertiser purchases a “non-bumpable” commercial advertisement and the rest buy “bumpable” commercial advertisements (col. 5, l. 39-67 & col. 6, l. 1-67). Bates et al. further discloses providing a higher priced “non-bumpable” commercial advertisement category, which “bumps” all other commercial advertisements once those “bumpable” commercial advertisements have been viewed some predetermined number of times (col. 6, l. 55-59). Since this advertisement category “bumps” all other commercial advertisements, the examiner interprets this type of advertisement as having an assigned absolute

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weight. Bates et al. further discloses a low cost “bumpable” commercial advertisement category that could be “bumped” by any commercial advertisement once it has been viewed at least once (col. 6, l. 60-63), and a higher priced “bumpable” commercial advertisement category having a higher priority of selection for available slots in the event multiple “bumpable” commercial advertisements have not been seen (col. 6, l. 63-67). Since this type of “bumpable” advertisement would be selected for display based on its assigned priority of selection, the examiner interprets this type of advertisement as having an assigned relative weight. It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the advertisement parameters of the locally stored advertisements in the combination of Carruthers et al. and Zigmond et al. to include an indication of whether the advertisement is “bumpable” or “non-bumpable” and the advertisement’s priority for selection, such as that taught by Bates et al. in order to ensure that particular advertisements within a video data stream are viewed by a user (Bates et al. col. 2, l. 1-4).

Referring to claim **22**, the combination of Carruthers et al., Zigmond et al., and Bates et al. teaches a method as recited in claim 21, further comprising a step for identifying available advertising inventory from a total advertising inventory (Carruthers et al. p. 3, paragraph 39).

Referring to claim **23**, the combination of Carruthers et al., Zigmond et al., and Bates et al. teaches a method as recited in claim 21, further comprising a step for defining the advertisement as either a committed advertisement or a flexible advertisement (see the relevant passages from Bates et al. cited in the rejection of claim 21 above).

Referring to claim **24**, the combination of Carruthers et al., Zigmond et al., and Bates et al. teaches a method as recited in claim 22, wherein the step for designating the weight comprises

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a step for defining the weight as either an absolute weight or a relative weight (see the relevant passages from Bates et al. cited in the rejection of claim 21 above).

Referring to claim **25**, the combination of Carruthers et al., Zigmond et al., and Bates et al. teaches a method as recited in claim 23, wherein a weight for a committed advertisement can be used as either an absolute weight or a relative weight (see the relevant passages from Bates et al. cited in the rejection of claim 21 above. The examiner notes that “non-bumpable” commercial advertisements may be purchased, so they are shown in particular commercial breaks. The examiner interprets this to be a relative weight. A higher priced “non-bumpable” commercial advertisement can also be purchased, which “bumps” all other commercial advertisements once those “bumpable” commercial advertisements have been viewed some predetermined number of times. The examiner interprets this to be an absolute weight).

Referring to claim **26**, the combination of Carruthers et al., Zigmond et al., and Bates et al. teaches a method as recited in claim 23, wherein the weight for the flexible advertisement is a relative weight (see the relevant passages from Bates et al. cited in the rejection of claim 21 above. The examiner notes that “bumpable” commercial advertisements can be moved around in a video data stream according to an assigned priority).

Referring to claim **32**, the combination of Carruthers et al., Zigmond et al., and Bates et al. teaches a method as recited in claim 21, wherein identifying an advertising impression goal for the display of an advertisement to at least one target viewer is part of an advertising campaign and wherein the advertising campaign is only one of one or more advertising campaigns, wherein the method further includes a step for defining one or more target attributes for the one or more advertising campaigns, each advertising campaign of the one or more

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advertising campaigns comprising a unique combination of the one or more attributes (Carruthers et al. p. 2, paragraph 23 & p. 3, paragraph 29).

Carruthers et al. further discloses prioritizing and weighting advertisements for display in order to meet the goal of each active advertising campaign (p. 3, paragraphs 32-34). Carruthers et al. does not disclose prioritizing and weighting the advertisements for display locally.

Zigmond et al. discloses advertisement parameters and ad selection criteria with advertisements for determining when to display an advertisement stored locally (col. 11, l. 31-55). Zigmond et al. further discloses that updated versions of the ad selection rules can be delivered to the receiver (col. 11, l. 66-67 & col. 12, l. 1-14). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Carruthers et al. to include targeting and inserting locally stored advertisements during particular programs and transmitting statistics about which advertisements have been seen to an operator of an advertising source, such as that taught by Zigmond et al. in order to provide a system for tailoring advertisements to the interests and needs of viewers and inserting the advertisements at a more local level (Zigmond et al. p. 5, l. 6-12). The combination of Carruthers et al. and Zigmond et al. does not specifically teach prioritizing and weighting advertisements for display in a local setting. Bates et al. discloses prioritizing "non-bumpable" and "bumpable" commercial advertisements according to prices paid by an advertiser, so that a receiver knows which advertisement to display (col. 6, l. 55-67). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the priority assignments of Carruthers et al. and the updatable local ad selection criteria of Zigmond et al. in the combination of Carruthers et al. and Zigmond et al. to include local priority assignments, such as that taught by Bates et al. in order utilize the technology

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present in set-top boxes and receivers to enhance the efficiency of advertisements within a video data stream (Bates et al. col. 1, l. 55-58).

Referring to claim **33**, the combination of Carruthers et al., Zigmond et al., and Bates et al. teaches a method as recited in claim 32, wherein each of one or more target attributes defines a dimension of a multidimensional storage structure (Carruthers et al. discloses that constraints defining targeted advertising could include increasing the campaign length, reducing the number of requested impressions, or relaxing the profile constraints. Each of these constraints meets the limitation of target attributes defining a dimension of a multidimensional storage structure)(Carruthers et al. p. 3, paragraph 29).

Referring to claim **34**, the combination of Carruthers et al., Zigmond et al., and Bates et al. teaches a method as recited in claim 32, wherein each of the one or more target attributes is selected from the group consisting of a date attribute, a time attribute, a market area attribute, an advertising space attribute, or an advertising type attribute (Carruthers et al. p. 2, paragraph 23 & p. 3, paragraph 29).

NOTE: The USPTO considers the applicant's "selected from the group consisting of" language to be anticipated by any reference containing any of the subsequent corresponding elements.

Referring to claims **35** and **36**, the combination of Carruthers et al., Zigmond et al., and Bates et al. teaches a method as recited in claim 32, wherein the step for defining the weight comprises:

- a step for defining an advertising impression goal for an advertising campaign of the one or more advertising campaigns;

- a step for identifying a total advertising inventory of advertising impressions for a unique combination of one or more target attributes for the advertising campaign of the one or more advertising campaigns (Carruthers et al. p. 3, paragraph 28); and
- a step for calculating the weight for the advertising campaign based upon the advertising impression goal and a total advertising inventory (see cited passages and explanation regarding claim 32).

Referring to claims **37** and **38**, the combination of Carruthers et al., Zigmond et al., and Bates et al. teaches a method as recited in claims 35 and 36, respectively, further comprising steps for identifying a conflict between the advertising impression goal and a total available advertising inventory for the unique combination of the one or more target attributes for the advertising campaigns (Carruthers et al. p. 3, paragraphs 34 and 35) and adjusting the weight for the advertising campaign to resolve the conflict between the advertising impression goal and the total available advertising inventory (see cited passages and explanation regarding claim 32).

Referring to claim **41**, the combination of Carruthers et al., Zigmond et al., and Bates et al. teaches a method as recited in claim 36, further comprising a step for adjusting the advertising impression goal for a portion of the advertising campaign in conflict between the advertising impression goal and a total available advertising inventory (Carruthers et al. p. 2, paragraph 25).

Referring to claim **44**, the combination of Carruthers et al., Zigmond et al., and Bates et al. teaches a method as recited in claim 21, further comprising:

- a step for defining the advertisement as either a committed advertisement or a flexible advertisement, wherein the committed advertisement is an

advertisement that an advertiser, which is independent of the receiver computing system, has committed to broadcasting as part of an advertising campaign, and wherein a flexible advertisement is an advertisement that operates as a filler advertisement to be displayed when advertising inventory exists in excess of advertising utilized by the committed advertisement (see the relevant passages from Bates et al. and Carruthers et al. cited in the rejection of claim 21 above).

5. Claims **39**, **40**, **42**, **43** are rejected under 35 U.S.C. 103(a) as being unpatentable over Carruthers et al. in view of Zigmond et al., further in view of Bates et al., and still further in view of Cannon.

Referring to claims **39** and **43**, the combination of Carruthers et al., Zigmond et al., and Bates et al. teaches a method as recited in claim 37. The combination of Carruthers et al., Zigmond et al., and Bates et al. further teaches changing the priority of an advertisement in order to meet a campaign goal (see cited passages and explanation regarding claim 32). The combination of Carruthers et al., Zigmond et al., and Bates et al. does not specifically teach a step for adjusting a weight on a per attribute basis or adjusting a weight to resolve the conflict between an advertising impression goal and the total available advertising inventory. Cannon discloses five distinct indices that are scored and combined in order to generate an optimum advertising plan or schedule (col. 34, l. 15-33). Cannon further discloses making incremental modifications to a schedule to more closely meet media objectives (col. 31, 60-65), such as by generating an optimum advertising plan from demographic data, while excluding advertising spot timing (col. 34, l. 30-41). It would have been obvious to one of ordinary skill in the art at

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the time that the invention was made to modify the combination of Carruthers et al., Zigmond et al., and Bates et al. to include distinct indices that are scored and combined in different combinations to generate an optimum advertising plan such as that taught by Cannon in order to provide a more effective system for scoring, comparing and optimizing advertising campaigns for advertising agencies (Cannon col. 3, l. 21-25).

Referring to claims **40** and **42**, the combination of Carruthers et al., Zigmond et al., and Bates et al. teaches a method as recited in claim 37. The combination of Carruthers et al., Zigmond et al., and Bates et al. does not teach a step for adjusting a weight, comprising:

- a step for separating the advertising campaign into a plurality of sub-advertising campaigns and a sub-advertising impression goal;
- a step for adjusting the sub-weight/sub-advertising impression goal of one or more of the plurality of sub-advertising campaigns so that the sub-advertising impression goal of the sub-advertising campaign is equal to or less than a total available advertising inventory for the sub-advertising campaign; and
- a step for verifying that an aggregate of all sub-advertising impression goals is substantially equal to an overall advertising impression goal of the advertising campaign.

Cannon discloses summing advertising index scores into individual subtotals (the examiner notes that targeting an individual according to index scores meets the limitations of a “sub-advertising campaign”)(col. 67, l. 45-55), optimizing an advertising plan according to characteristics of each person (this meets the limitation “each sub-advertising campaign comprising a sub-weight”)(col. 67, l. 30-45 & Fig. 41), and valuing certain amounts of exposures, frequency of exposures, and

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timing of exposures more than others, thereby optimizing an advertising schedule (this meets the limitation of a "sub-advertising impression goal)(col. 67, l. 9-29; col. 68, l. 45-64; & Fig. 35). Cannon further discloses identifying targeted groups that are over-exposed to advertisements, identifying spots to which the group is collectively exposed, and eliminating them from the schedule during the optimization process (this meets the limitations of "adjusting the sub-weight/sub-advertising impression goal so that the sub-advertising impression goal of the sub-advertising campaign is equal to or less than the total available advertising inventory for the sub-advertising campaign.")(col. 60, l. 30-33). Lastly, Cannon discloses computing the total value of an audience to an advertiser, the value of which is used by the advertiser to optimize an advertising plan or schedule for a target group (col. 62, l. 56-67 & col. 63, l. 16-20). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the combination of Carruthers et al., Zigmond et al., and Bates et al. to include steps for summing advertising index scores into individual subtotals, optimizing an advertising plan and schedule according to the characteristics of each person, eliminating targeted groups during the optimization process, and computing the total value of an audience to an advertiser, such as that taught by Cannon in order to provide a more effective system for scoring, comparing and optimizing advertising campaigns for advertising agencies (Cannon col. 3, l. 21-25).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Van Handel whose telephone number is 571-272-5968. The examiner can normally be reached on 8:00am-5:30pm Mon.-Fri..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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